

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SOLUTIONS
ADMINISTRATOR'S MEMO SERIES

NOTICE 04-10

ISSUE DATE: 05/17/2004
DISPOSAL DATE: Ongoing

RE: Adoption of Temporary
Assistance for Needy
Families (TANF) Family
Violence Option (FVO)

To: W-2 Agency Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Child Support Agency Directors
Tribal Chairpersons/Human Services Facilitators

From: Bill Clingan /s/
Division Administrator

Purpose

The purpose of this memo is to announce that Wisconsin has adopted the Temporary Assistance for Needy Families (TANF) Family Violence Option (FVO).

Background

The TANF program includes an optional FVO certification (42 USC 602(a)(7) and 45 CFR 260.50 to 260.58). This option provides for identification and screening of domestic violence victims, referral to services, and waivers of program requirements for good cause. Wisconsin recently notified the federal Department of Health and Human Services, Administration for Children and Families, that it had adopted the FVO by updating its TANF State Plan. The TANF State Plan is available at: http://www.dwd.state.wi.us/dws/tanf/pdf/tanf_plan_jan_amend.pdf

When W-2 was implemented statewide in 1997, Wisconsin did not adopt the TANF Family Violence Option. This was based on a number of factors, including the concern that adopting the FVO would result in a failure to provide appropriate employment and training services to domestic violence victims. Since that time, it has been determined that a number of changes have been made to the W-2 Program that ameliorate those concerns.

What changes have occurred that now allow Wisconsin to certify that it has adopted the FVO?

While W-2 agencies have been aware of and worked to provide appropriate services to domestic violence victims since W-2 was implemented in 1997, the Department recently implemented new screening and training requirements to make identification and provision of services to domestic violence victims more uniform. Section 49.173, Stats., as created by 2001 Act 16, required the adoption of administrative rules which require screening victims of domestic violence and training W-2 agency employees in domestic violence issues. With the implementation of the Barrier Screening Tool (BST) in May 2003, there has been uniform screening method for domestic violence issues in place. Since the implementation of the BST, over 1100 W-2 participants have been found to be in a domestic violence situation or at-risk of domestic violence.

In addition, the FVO requires that a state certify that it has established and is enforcing procedures to refer participants with a history of domestic violence to counseling and supportive services. W-2 agencies have the ability to make the appropriate placements and assign appropriate activities to ensure that safety of the participant is addressed.

Financial and Employment Planners (FEPs) are required to take domestic violence training so that they might be sensitive to the customer's needs, and, if necessary, appropriately place a participant and assign appropriate activities to help ensure the participant's safety. As outlined in Administrator's Memo 04-07, new FEPs are required to complete 12 hours of training in domestic abuse awareness, including case management strategies and the use of the BST. In addition, Resource Specialists are required to complete 6 hours of training on domestic abuse. Experienced FEPs are required to complete 12 hours of ongoing case management training per year; completion of the domestic violence enhanced case management training fulfills this requirement.

Currently there are monitoring procedures in place to determine the appropriateness of FEPs' assessment and placement activities under all W-2 placement categories

Finally, under the FVO, a state must certify that it has established and is enforcing procedures to provide waivers, under a determination of good cause, of "normal program requirements" for as long as necessary where compliance with normal requirements would make it difficult to escape domestic violence or unfairly penalize a participant who is at risk of further domestic violence.

FEPs have the discretion to make assignments within the Community Service Job and W-2 Transition placements so that a participant's domestic violence issues can be addressed. In addition, a W-2 participant's 24-month or 60-month time limit may be extended if the individual has significant limitations that prevent him or her from obtaining or maintaining unsubsidized employment. "Significant limitations" include family problems experienced by any member of the W-2 group, including, but not limited to, domestic abuse. These options within the W-2 program are equivalent to the federal waiver language. A W-2 participant may have good cause to not cooperate with child support requirements under certain circumstances.

The Department encourages all W-2 partners to connect with their local domestic violence resources, including shelters, counseling services, child care, and related programs. The W-2 agency's Children's Services Network must include information about domestic abuse services and sexual assault victim services. In addition, the Emergency Assistance Program is available to provide resources to victims of domestic violence, especially those who are homeless or at risk of homelessness.

REGIONAL OFFICE CONTACT: Area Administrators